

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE CITY OF PHILADELPHIA	CIVIL ACTION
v.	NO. 17-3894
JEFFERSON BEAUREGARD SESSIONS III, ATTORNEY GENERAL OF THE UNITED STATES	

ORDER RE: DISCOVERY AND SCHEDULING

The Court held a pretrial status conference this date with counsel and this Order will reflect the topics discussed and certain dates set for further discovery and trial:

1. The Defendant having filed a motion to dismiss the amended complaint, the Plaintiff's response shall be due February 9, 2018 and the Defendant may file a reply brief by February 16, 2018. The Court will endeavor to decide this motion promptly.
2. Counsel reported on discovery efforts to date. There was extensive discussion about the production of the Administrative Record. Counsel for Defendant does not object to producing the Administrative Record but expressed some concerns about how much time would be required to assemble it. Apparently, the regulations had been issued without the compilation of an Administrative Record. Defense counsel shall make appropriate inquiries as to the Administrative Record and produce as much of it as reasonably available, together with an explanation of what steps must be taken for its completion, within fourteen (14) days and the total Administrative Record shall be completed and produced within thirty (30) days.
3. With regard to other discovery disputes, counsel will continue to meet and confer over objections and production of documents. A request for "all" documents is not appropriate in this case and counsel shall be specific in designating types of documents, or individuals involved in the issues in this case whose documents are particularly likely to have important and relevant

information. These discussions shall be completed by February 9, 2018, and counsel shall file a memorandum or letter, limited to three (3) pages, double-spaced, advising the Court of their unresolved disputes about discovery by February 12, 2018. The Court will schedule a telephone conference to resolve these disputes for Thursday, February 15, 2018 at 4:00 p.m. Counsel for Plaintiff will initiate the telephone conference and when all counsel are on the line, call Chambers at 267-299-7520.

4. Either party may file a motion to compel to present their position with legal support, on any unique discovery issues, which should also be filed by February 12, 2018.

5. With regard to Magistrate Judge Strawbridge's service as Master, the Court directed counsel to designate representatives of Philadelphia and ICE who have knowledge of Philadelphia specific facts relating to the policies and procedures of the City and ICE which are at issue in this case, as to which are undisputed, and which are disputed. Judge Strawbridge will mediate and attempt to resolve any disputes as to relevant practices and procedures. The first meeting shall take place in Judge Strawbridge's Chambers within fourteen (14) days and shall be continued at such times and places as Judge Strawbridge may direct.

6. Both counsel advised they did not intend to have any expert testimony at the final hearing/trial.

7. The Court has set April 13, 2018 as the deadline for any summary judgment motions. However, no response need be filed until the conclusion of the final hearing/trial.

8. The Court has set Monday, April 30, 2018 at 9:00 a.m. as the beginning of the final hearing/trial and to continue day-to-day. The Court will set a time for final briefs to follow the conclusion of testimony. The Court suggests, but does not require, that counsel advise the Court

of Appeals as to this schedule.

9. The Court will have a final pretrial conference, either by telephone or in person, depending on the nature of the existing issues at that time, on April 16, 2018 at 4:00 p.m.

BY THE COURT:

/s/ Michael M. Baylson

Dated: January 24, 2018

MICHAEL M. BAYLSON, U.S.D.J.